

**PLANNING AND ZONING COMMISSION  
STAFF REPORT**

**February 19, 2015**



**Rezoning case no. RZ 14-21: Texas KJ Investments, LLC**

**CASE DESCRIPTION:** a request to change the zoning classification from Agricultural - Open District (A-O) to Retail District (C-2)

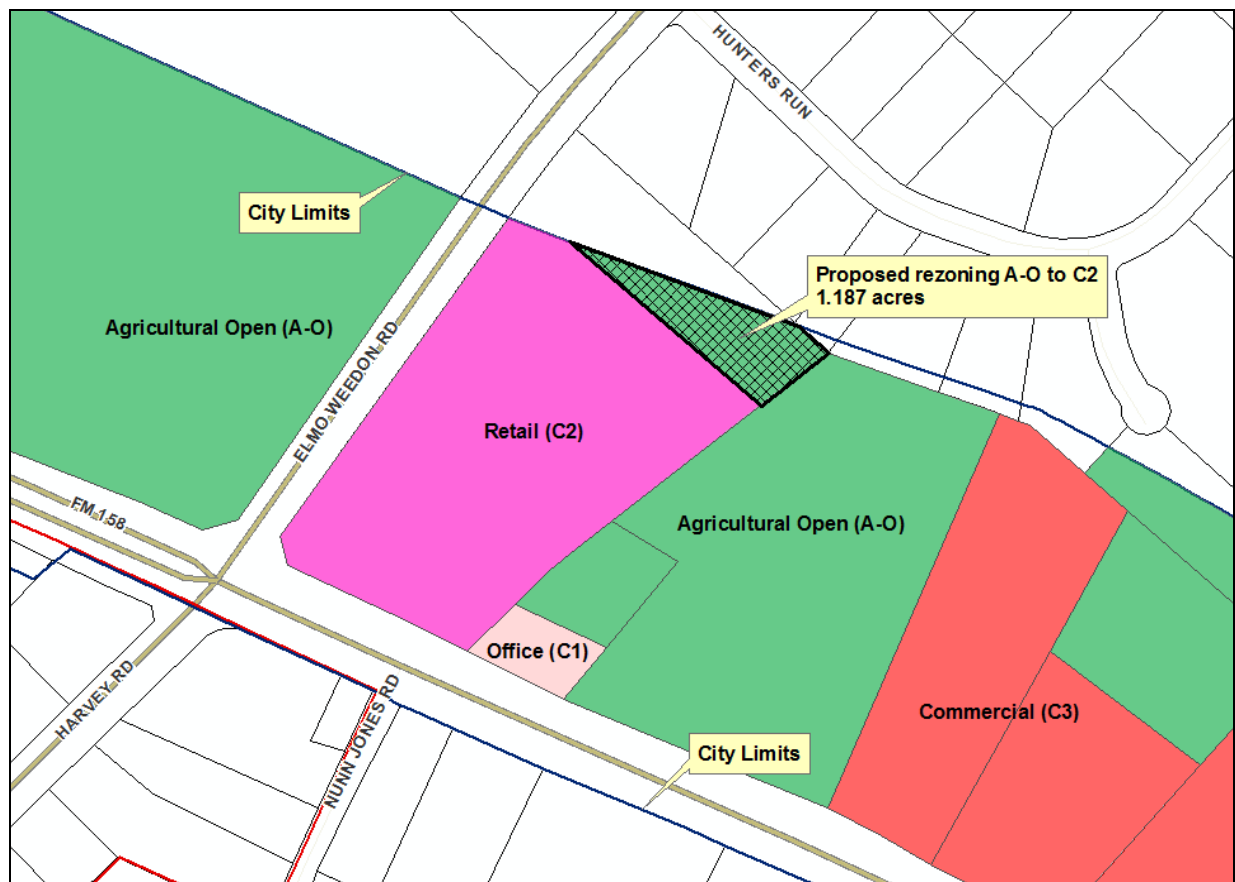
**LOCATION:** 1.187 acres of vacant land out of the Maria Kegan Survey, Abstract No. 28, extending southeast from Elmo Weedon Road, approximately 825 feet north from its intersection with State Highway 30/F.M. 158

**EXISTING LAND USE:** vacant

**APPLICANT(S):** Texas KJ Investments, LLC

**STAFF CONTACT:** Maggie Dalton, Staff Planner

**SUMMARY RECOMMENDATION:** Staff recommends **approving** this rezoning request.



## **AERIAL PHOTOGRAPH (2013):**



## **BACKGROUND:**

The subject property is 1.187 acres in size and part of an approximately 13+ acre tract at the northeast corner of State Highway 30 and Elmo Weedon Road. Most of this property (11+ acres) is located within the city limits of Bryan. 9.86 acres of these 11+ acres are zoned Retail District (C-2). The remaining approximately 1.187 acres of land are zoned Agricultural – Open District (A-O).

To the north of the subject property is a 2.032-acre portion of this same 13+ acre tract that currently lies outside the City limits and has been requested to be annexed (with case no. ANNEX15-01). During its meeting on February 19, 2015, the Planning and Zoning Commission is also scheduled to make a recommendation to the City Council regarding that annexation request.

Further north, on land in Bryan's extraterritorial jurisdiction (ETJ), lies Hunter's Creek Subdivision, a single-family residential subdivision with 1+ acre lots. To the west, across Elmo Weedon Road, lies the campus of Central Baptist Church on land zoned Agricultural-Open District (A-O). Property to the immediate east is also zoned A-O District and is predominantly vacant with some structures fronting State Highway 30.

The applicants, Texas KL Investments, LLC, are requesting C-2 zoning for this 1.187-acre property, to create opportunity for development with various types of general retail trade, business and service uses at this location. The C-2 zoning district allows shopping areas or uses which are generally compatible near

or adjacent to, but not usually directly in, residential neighborhoods. The subject property lies within the FM158 Corridor Overlay District, which imposes higher development standards such as 75% non-metallic structures, the screening of utility equipment and open storage is prohibited. The purpose of the district is to exercise greater control over the aesthetic and functional characteristics of development along major thoroughfares, which serve as major entrances to the community where higher development standards can effectively enhance the city's image as a desirable place to live, work, and shop.

#### **RELATION TO BRYAN'S COMPREHENSIVE PLAN:**

The City of Bryan adopted a new Comprehensive Plan in January 2007. The plan includes policy recommendations related to the various physical development aspects. The plan identified a number of issues that have been, according to the committee members, an impediment to the healthy growth of the community. Among the goals supported by the policies are the development of attractive entrances and corridors and encouraging and promoting compatible infill and redevelopment in areas where these activities will benefit the city as a whole and the area specifically. One of the plan's objectives is to encourage a sustainable mix of land uses types in suitable locations, densities and patterns and to identify areas for commercial development and preserve them with appropriate zoning. The Comprehensive Plan also suggests that commercial uses are appropriate at points of high visibility along arterial and major collector streets and at intersection of major streets.

#### **ANALYSIS:**

In making its recommendation regarding a proposed zoning change, the Planning and Zoning Commission shall consider the following factors:

1. Whether the uses permitted by the proposed change will be appropriate in the immediate area concerned; relationship to general area and the City as a whole.

**The proposed change will allow retail development at a major intersection along a super arterial street, State Highway 30. Extending C-2 zoning on the subject property will support orderly urban growth in this vicinity where neighboring properties are being developed or are currently developed with commercial and/or retail establishments. Staff believes that C-2 zoning on the subject property is compatible with anticipated surrounding land uses and existing development. The remaining surrounding properties are either vacant land or are developed as office businesses. Staff believes that proposed C-2 zoning on these 1.187 acres is appropriate in this particular environment.**

2. Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other utilities to the area and shall note the findings.

**The subject property adjoins State Highway 30 and Elmo Weedon Road which are classified on Bryan's Thoroughfare Plan as super arterial street and major collector street, respectively. These roads can be expected to be capable of accommodating traffic loads typically associated with retail development on the subject property. Water services for any development at this location would be provided by the Wickson Creek Special Utility District. The property is within the City of College Station's sanitary sewer CCN, and is provided with sewer services by the City of College Station under both the CCN and an interlocal agreement executed by the cities of Bryan and College Station on December 15, 2011.**

3. The amount of vacant land currently classified for similar development in the vicinity and elsewhere in the City, and any special circumstances which may make a substantial part of such vacant land unavailable for development.

**Staff believes that this zone change request, if approved, will not make land classified for similar development in the vicinity and elsewhere in the City unavailable for development.**

4. The recent rate at which land is being developed in the same zoning classification as the request, particularly in the vicinity of the proposed change.

**Staff contends that commercial developments are developing at a slow to average pace in this vicinity and elsewhere in the City.**

5. How other areas designated for similar development will be, or are unlikely to be affected if the proposed amendment is approved, and whether such designation for other areas should be modified also.

**If the proposed zone change was approved, staff believes there to be few, if any, effects on other areas designated for similar developments. Many of the properties in the immediate vicinity are developed as commercial businesses, and several vacant parcels are available for future commercial development.**

6. Any other factors affecting health, safety, morals, or general welfare.

**In this case, staff believes that the requested rezoning to C-2 District should have no adverse effects on adjacent properties. Staff contends that allowing a retail development at this location will create an orderly zoning pattern and allow for a useful diversification in land use intensities and orderly urban development in this vicinity.**

#### **RECOMMENDATION:**

Based on all these considerations, staff recommends **approving** the requested zone change to C-2 District on the subject property.